

1 NICHOLAS A. TRUTANICH
United States Attorney
2 Nevada Bar Number 13644
RACHEL KENT
3 Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
4 Tel: 702.388.6270 / Fax: 702.388.6418
rachel.kent@usdoj.gov
5 Attorneys for the United States

2019 OCT -9 PM 2:25

U.S. MAGISTRATE JUDGE

BY

6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

-oo-

9 UNITED STATES OF AMERICA,

Case No. 2:19-mj- 114 - DJA

10 Plaintiff

COMPLAINT for violation of:

11 v.

Motor Vehicle Closure
(43 C.F.R. § 8364.1(d));

12 SAMUEL W. MOFFORD,

Deface or destroy soil, rocks, or mineral
(43 C.F.R. § 8365.1-2(a)(2);

13 Defendant.

Drain petroleum product from trailer or
vehicle
(43 C.F.R. § 8365.1-2(a)(2);

14
15 Unauthorized Use
(43 C.F.R. § 29201-2(e))

16
17 BEFORE the United States Magistrate Judge, Las Vegas, Nevada, the undersigned
complainant, being first duly sworn, states that:

18
19 **COUNT ONE**
Motor Vehicle Closure
20 43 C.F.R. § 8364.1(d)

21 On or about July 12, 2019, in the State and Federal District of Nevada, within lands
22 administered by the Bureau of Land Management (BLM) within the boundaries of the Las
23 Vegas Valley, SAMUEL W. MOFFORD, defendant herein, was operating a motor

1 vehicle in an area posted closed to motor vehicles, to wit: **SAMUEL W. MOFFORD** was
2 operating a Ford F150 bearing NV plate 645C71 with a tow trailer bearing NV plate
3 43917X, in an area posted closed to motor vehicles; all in violation of Title 43, Code of
4 Federal Regulations, Section 8364.1(d).

Charge Two

Deface or destroy soil, rocks, or minerals
43 C.F.R. § 8365.1-5(a)(2)

7 On or about July 12, 2019, in the State and Federal District of Nevada, within lands
8 administered by the Bureau of Land Management (BLM) within the boundaries of Las
9 Vegas Valley, **SAMUEL W. MOFFORD**, defendant herein, did willfully deface, disturb,
10 remove or destroy plants or their parts, soil, rocks or minerals or cave resources, to wit:
11 **SAMUEL W. MOFFORD** was operating a Ford F150 bearing NV plate 645C71 with a
12 tow trailer bearing NV plate 43917X, that was carrying two 55-gallon drums of oil that fell
13 off and leaked approximately 10-15 gallons onto the desert soil causing damage to the
14 natural resources.

Charge Three

Drain petroleum product or refuse or waste
43 C.F.R. § 8365.1-1(b)(3)

17 On or about July 12, 2019, in the State and Federal District of Nevada, within lands
18 administered by the Bureau of Land Management (BLM) within the boundaries of Las
19 Vegas Valley, **SAMUEL W. MOFFORD**, defendant herein, did drain sewage or
20 petroleum products or dump refuse or waste other than wash water from any trailer or
21 other vehicle, to wit: **SAMUEL W. MOFFORD** was operating a Ford F150 bearing NV
22 plate 645C71 with a tow trailer bearing NV plate 43917X, which was carrying two 55-
23 gallon drums of oil that fell off the trailer and leaked approximately 10-15 gallons onto the
24 desert soil.

Charge Four

Unauthorized Use

43 C.F.R. § 29201-2(e)

On or about July 12, 2019, in the State and Federal District of Nevada, within lands administered by the Bureau of Land Management (BLM) within the boundaries of Las Vegas Valley, **SAMUEL W. MOFFORD**, defendant herein, did knowingly and willfully use public lands without authorization to wit: **SAMUEL W. MOFFORD** was operating a Ford F150 bearing NV plate 645C71 with a tow trailer bearing NV plate 43917X, which was carrying two 55-gallon drums of oil that fell off the trailer and leaked onto the desert soil which was not authorized by the Bureau of Land Management.

Complainant, as and for probable cause, states the following:

1. Complainant is a Law Enforcement Ranger with the Bureau for Land Management, in Clark County, Nevada, and has been employed as a law enforcement officer for approximately 14 years.

2. The following information is the result of either complainant's own personal investigation or has been provided by other law enforcement officers:

(a) On July 12, 2019, Bureau of Land Management Law Enforcement Supervisor Ranger David Stolts was on routine patrol on public lands within the boundaries of the Las Vegas Valley, in Clark County, Nevada.

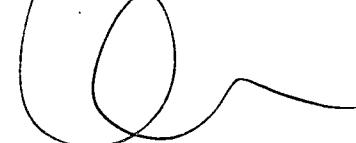
(b) At approximately 12:55 p.m., Stolts received a report from the Las Vegas Metropolitan Police Department (LVMPD) of a male dumping oil into the desert on Las Vegas Boulevard (SR 604), near mile marker 16.5.

(c) Stolts observed a BLM sign stating "no dumping and no motorized vehicles" posted on the road while entering the area. Stolts contacted the LVMPD Officer on scene identified as C. Eaton (P#8306).

1 (d) Officer Eaton indicated that the suspect **SAMUEL W. MOFFORD**
2 stated the drums were not his and that they were out there in the desert already. **SAMUEL**
3 **W. MOFFORD** also claimed that he bumped into the 55-gallon drums while he was
4 driving, knocking them down. **SAMUEL W. MOFFORD** later changed his story and
5 admitted that the 55-gallon drums were his and they fell off his trailer bearing NV plate
6 43917X. **SAMUEL W. MOFFORD** stated he was bringing the oil to Primm and later
7 stated he brings the oil into Las Vegas for recycling.

8 (e) Stolts observed approximately 10 gallons of spilled used petroleum oil
9 on the ground, several vehicle tracks, and roughly a dozen creosote bushes crushed in the
10 tracks. BLM Hazmat was consulted to assess the area and cleaned up the oil. The cost to
11 clean up the oil was approximately \$8,547.56.

12 (f) Multiple citations were issued to **MOFFORD**.



13
14 _____
15 VICTORIA R WORFOLK, L.E. Ranger
16 Bureau of Land Management

17 SUBSCRIBED and SWORN to before me

18 this 9th day of October, 2019.



19
20 _____
21 HONORABLE DANIEL J. ALBREGTS
22 UNITED STATES MAGISTRATE JUDGE